

Federal Trade Commission

§ 309.22

§ 309.21 Labeling requirements for used covered vehicles.

(a) *Affixing and maintaining labels.* Before offering a used covered vehicle for acquisition to consumers, used vehicle dealers shall affix and maintain, or cause to be affixed and maintained, a used vehicle label on a visible surface of each such vehicle.

(b) *Layout.* Figures 7 and 8 of appendix A are prototype labels that demonstrate the proper layout. All positioning, spacing, type size, and line widths should be similar to and consistent with the prototype labels. Labels required by this section are two-sided and rectangular in shape measuring 7 inches (17.5 cm) in width and 5-1/2 inches (13.75 cm) in height. Figure 7 represents the prototype of the front side of the labels for used covered vehicles. Figure 8 represents the back side of the labels for used covered vehicles. Manufacturers may, at their discretion, display the appropriate front label format and back label format immediately adjacent to each other on the same visible surface. No marks or information other than that specified in this subpart shall appear on this label.

(c) *Type size and setting.* The Helvetica Condensed and Helvetica family typefaces or equivalent shall be used exclusively on the label. Specific type sizes and faces to be used are indicated on the prototype labels (Figures 7 and 8 of appendix A). No hyphenation should be used in setting headline or text copy. Positioning and spacing should follow the prototypes closely.

(d) *Colors and Paper Stock.* All labels shall be printed in process black ink on Hammermill Offset Opaque Vellum/S.70 Sky Blue (or equivalent) paper.

(e) *Contents.* Headlines and text, as illustrated in Figures 7 and 8 of appendix A, are standard for all labels.

EFFECTIVE DATE NOTE: At 69 FR 55338, Sept. 14, 2004, § 309.21 was revised, effective March 31, 2004. For the convenience of the user, the revised text is set forth as follows:

§ 309.21 Labeling requirements for used covered vehicles.

(a) *Affixing and maintaining labels.* Before offering a used covered vehicle for acquisition to consumers, used vehicle dealers shall affix and maintain, or cause to be affixed and

maintained, a used vehicle label on a visible surface of each such vehicle.

(b) *Layout.* Figure 6 of appendix A is the prototype label that demonstrates the proper layout. All positioning, spacing, type size, and line widths should be similar to and consistent with the prototype label. The label required by this section is one-sided and rectangular in shape measuring 7 inches (17.78 cm) in width and 7 1/2 inches (19.05 cm) in height. No marks or information other than that specified in this subpart shall appear on this label, except that the label may include part numbers, bar codes, and vehicle identification numbers consistent with Figure 6.

(c) *Type size and setting.* The Helvetica Condensed and Helvetica family typefaces or equivalent shall be used exclusively on the label. Specific type sizes and faces to be used are indicated on the prototype label (Figure 6 of appendix A). No hyphenation should be used in setting headline or text copy. Positioning and spacing should follow the prototype closely.

(d) *Colors and Paper Stock.* All labels shall be printed in process black ink on Hammermill Offset Opaque Vellum/S.70 Sky Blue (or equivalent) paper.

(e) *Contents.* Headlines and text, as illustrated in Figure 6 of appendix A, are standard for all labels.

§ 309.22 Determining estimated cruising range.

(a) *Dedicated vehicles.* (1) Estimated cruising range values for dedicated vehicles required to comply with the provisions of 40 CFR part 600 are to be calculated in accordance with the following:

(i) The lower range value shall be determined by multiplying the vehicle's estimated city fuel-economy by its fuel tank capacity, then rounding to the next lower integer value.

(ii) The upper range value shall be determined by multiplying the vehicle's estimated highway fuel-economy by its fuel tank capacity, then rounding to the next higher integer value.

(2) Estimated cruising range for an EV is the actual vehicle range determined in accordance with test methods set forth in Society of Automotive Engineers ("SAE") Surface Vehicle Recommended Practice SAE J1634-1993-05-20, "Electric Vehicle Energy Consumption and Range Test Procedure." This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of SAE J1634-1993-05-20 may be obtained from